

United States District Court

for the
Western District of New York



United States of America

v.

Case No. 18-mj-5204

SCOTT AIKENS

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

(1) On or about September 14, 2018, in the County of Chautauqua, in the Western District of New York, the defendant, SCOTT AIKENS, did knowingly possess child pornography, as defined in Title 18, United States Code, Section 2256(8), in violation of **Title 18, United States Code, Section 2252A(a)(5)(B)**.

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.


Complainant's signature

BRYAN JACOBSON
SPECIAL AGENT
HOMELAND SECURITY INVESTIGATIONS

Printed name and title

Sworn to before me and signed in my presence.

Date: September 14, 2018


Judge's signature

MICHAEL J. ROEMER
UNITED STATES MAGISTRATE JUDGE

Printed name and title

City and State: Buffalo, New York

AFFIDAVIT IN SUPPORT OF COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

I, Bryan Jacobson, being duly sworn, depose and state:

INTRODUCTION

1. I have been employed as a Special Agent (SA) with Homeland Security Investigations (HSI), within the Department of Homeland Security (DHS), since 2007. I am currently assigned to the HSI Special Agent in Charge in Buffalo, New York. As a Special Agent, I am a federal law enforcement officer within the meaning of Rule 41(a) of the Federal Rules of Criminal Procedure, that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, federal criminal offenses.

2. I have participated in investigations targeting individuals involved in the receipt, distribution and possession of child pornography, in violation of Title 18, United States Code, Section 2252A(a)(2)(A) and Title 18, United States Code, Section 2252A(a)(5)(B). I have received specialized training in the area of child pornography and child exploitation, and I have had the opportunity to observe and review numerous images and videos of child pornography, as defined in Title 18, United States Code, Section 2256.

3. I make this affidavit in support of a criminal complaint charging SCOTT AIKENS, with violations of Title 18, United States Code, Section 2252A(a)(5)(B) (Possession of Child Pornography).

PRE-SEARCH WARRANT INVESTIGATION

4. This case concerns a Thai based child pornography open website, “Boyxzeed2.net”, where child sexual abuse material is being sold and shared amongst the users. On June 25, 2018, HSI Buffalo received information identifying “Boyxzeed2.net” user “EJD,” e-mail address *ejdz@aol.com*. “EJD” was an “Open Status” member of boyxzeed2.net, who registered with the website on 11/08/2017 at 10:58:00 UTC utilizing IP address 74.74.107.27 (hereinafter the SUBJECT IP ADDRESS). “EJD’s” last activity on boyxzeed2.net was on 12/20/2017 at 21:01:33 UTC. Between 11/8/2017 and 12/20/2017, EJD amassed 233 credits, posted 15 public comments, zero (0) private comments, and uploaded zero (0) files to boyxzeed2.net. Credits to boyxzeed2.net are only gained through either financial contributions to the website owner via True Money or by uploading content to the website. Since boyxzeed2.net servers indicate “EJD” did not upload content to the server, the only plausible way to obtain 233 credits is through True Money payments to the website owner¹.

5. Examples of some of the images that were found on the Boyxzeed2.net website include the following:

¹ True Money is a Thai-based money transmitter.

- a. BOYXZEED_GRAT – IMG_2011: A minor Asian male approximately 6-12 years of age, face blurred out, with short black hair. The minor is wearing a white and green striped shirt and is sitting on the ground with pants around his left ankle, his feet are on the ground with legs spread and knees up at a 90-degree angle. The minor has no underwear on. His underdeveloped penis, scrotum, and anus are exposed to the viewer.
- b. BOYXZEED_JIMMY – IMG_3195: A minor Asian male approximately 6-12 years of age, face blurred out, with black hair wearing an orange t-shirt lying on what appears to be a bed with a cellular phone in his right hand. Only the head, upper chest area and hands of the minor male are visible in the image. A nude adult male (also appears to be Asian based on skin tone, but only pelvis in view) is kneeling over the minor male and has his erect penis in the minor male's mouth. The water mark "boyxzeed2.net [Line ID: boysvid]" is in the upper right corner of the image.
- c. BOYXZEED_KAI – IMG_3861: Two minor Asian males approximately 6-12 years of age, faces blurred out, each with black hair lying completely nude on what appears to be a bed facing the viewer. The minor male on the left of the image has his right hand on his underdeveloped erect penis and his scrotum is also in view for the viewer. The minor male on the right of the image has his arms to his sides, but his underdeveloped erect penis and scrotum are exposed to the viewer. The watermark "Line ID: boysvid ll boyxzeed2.net" is in the upper right corner of the image.
- d. BOYXZEED_SPY – IMG_3095: A minor Asian male approximately 4-8 years of age, face blurred out, hair not visible in image, sitting up fully nude on what appears to be a bed with a cellular phone in his right hand, with a rope-like belt around his waist. The minor male's underdeveloped erect penis and scrotum are visible to the viewer. The watermark "EBP Kids Club www.boyxzeed2.net" is in the upper left corner of the image.

6. Boyxzeed2.net user "EJD" posted 15 public comments to multiple forums on the boyxzeed2.net website starting on 11/8/2017 and ending on 12/18/2017. Every post was made from a device utilizing the SUBJECT IP ADDRESS. These posts are identified below:

- a. 11/8/2017, 11:19:53 UTC, Forum "Photogallery," Thread "Boy 3" – "Sweetie boyyy"

- b. 11/8/2017, 11:25:02 UTC, Forum "Photogallery," Thread unknown – "Wow wow wow"
- c. 11/9/2017, 21:00:18 UTC, Forum "Photogallery," Thread "B16" – "i want to see jimmy as a naked teen"
- d. 11/9/2017, 21:02:38 UTC, Forum "Photogallery," Thread "B6" – "thurd ones got boobs"
- e. 11/10/2017, 19:00:07 UTC, Forum "Humiling ng² video clip," Thread "omegle³/webcam boys" – "to many links"
- f. 11/11/2017, 18:05:08 UTC, "Humiling ng video clip," Thread "Hot" – "could you post some of your b⁴ and g⁵ links here – i cant download from the blogspot site"
- g. 11/12/2017, 12:55:47 UTC, Forum "Humiling ng video clip," Thread "Hot Boys 11/11/2017 (links fixed)" – "some aren't working :(but some are :)"
- h. 11/28/2017, 23:14:47 UTC, Forum "Photogallery," Thread unknown – "I like how the young one is realy interested"
- i. 11/28/2017, 23:21:44 UTC, Forum "Photogallery," Thread "Boys 2" – "lov first pubes and boners"
- j. 12/01/2017, 10:48:15 UTC, Forum "Photogallery," Thread "black boys" – "iiizzz verrrry goot"
- k. 12/01/2017, 10:49:33 UTC, Forum "Photogallery," Thread unknown – "goot times"
- l. 12/02/2017, 11:44:02 UTC, Forum "Humiling ng video clip," Thread "mix collection – "wow lots of fun boys"
- m. 12/02/2017, 11:49:22 UTC, Forum "Photogallery," Thread "B12" – "so close-just take a little more off"
- n. 12/16/2017, 13:21:16 UTC, Forum "Photogallery," Thread "Boy 3" – "sweet sweet boy"
- o. 12/18/2017, 00:47:16 UTC, Forum "Photogallery," Thread "Boy 3" – "love to se him cum"

7. On July 5, 2018, HSI contacted your deponent via e-mail and provided additional information regarding the SUBJECT IP ADDRESS accessing the Boyxzeed2.net a/k/a Boyxzeed.net and Boysdvid.net website. This IP address had a second account with

² No good.

³ Omegle is a roulette-style webcam website where users text or live stream with random strangers. The website is notoriously used by perpetrators of child exploitation due to its anonymity.

⁴ Boy.

⁵ Girl.

the handle “EDJ” and e-mail address *ejd@aol.com* that accessed the site on 11/8/17 at 06:36 UTC, but never accessed the site again. On that same date at 10:58 UTC is when user “EJD”, *ejdz@aol.com* accessed Boyxzeed2.net for the first time and had significant activity on the site as detailed above. Based on the close resemblance in name and the same IP address, it is believed these two accounts are the same individual. It appears the individual tried registering on Boyxzeed2.net with the wrong e-mail address, then four hours later realized the information they provided was inaccurate and successfully made an account with the correct e-mail address.

8. A query of the American Registry for Internet Numbers (“ARIN”) online database revealed that the SUBJECT IP ADDRESS is registered to Time Warner Cable Internet, LLC. On March 6, 2018, a U.S. Department of Homeland Security summons was issued to Charter Communications (d/b/a Time Warner Cable) to obtain subscriber information for the SUBJECT IP ADDRESS on 12/18/2017 at 00:47:16 UTC. On March 20, 2018, Charter Communications identified the following account information: Scott AIKENS, 9251 Route 474, Clymer, NY 14724, phone number 716-355-4283, e-mail: *saikens@stny.rr.com*, Media Access Control (MAC) address 7824af99d128, Cable Modem MAC 946269effac6. This account had an original lease date of 9/1/2017 and lease end date of 1/18/2018, and maintained the same IP address during the entire time of the lease. A check in the law enforcement database CLEAR confirmed Scott AIKENS (DOB: 7/2X/19XX) resides at 9251 Route 474, Clymer, NY 14724.

9. A check with the New York Department of Motor Vehicles on or about July 10, 2018 revealed that an individual named Scott AIKENS, with a date of birth of 7/2X/19XX, resides at 9251 Route 474, Clymer, NY with New York driver's license number 775029160.

10. On July 5, 2018, HSI Buffalo Special Agent (SA) Nicholas Melchiorre requested address verification from the United States Postal Inspection Service (USPIS) for address: 9251 Route 474, Clymer, NY 14724. On July 10, 2018, USPIS indicated that Scott and Connie Aikens were residents of the aforementioned address until they moved out on 6/30/18. Scott and Connie Aikens now reside at the SUBJECT PREMISES.

11. On July 16, 2018, a U.S. Department of Homeland Security summons was issued to Charter Communications (d/b/a Time Warner Cable) to obtain subscriber information related to an account in the name of Scott AIKENS at 9251 Route 474, Clymer, NY. The same day, Charter Communications identified the following account information: Scott AIKENS, 9343 Route 474, Clymer, NY 14724 (SUBJECT PREMISES), with an original lease date of 6/28/2018 and lease end date of 7/17/2018. Further, Charter Communications confirmed AIKENS account associated with 9251 Route 474, Clymer, NY was closed on 6/20/2018. Charter Communications' information corroborates that of the USPIS indicating AIKENS moved from 9251 Route 474 Clymer, NY to the SUBJECT PREMISES during the last week of June 2018.

12. On July 18, 2018, HSI agents conducted surveillance of the SUBJECT PREMISES and observed a motor vehicle parked in the driveway of the SUBJECT PREMISES. DMV records identified the vehicle as a 2014 Honda Accord registered to SCOTT AIKENS (DOB 7/2X/19XX). As HSI agents were establishing surveillance of the SUBJECT PREMISES, HSI agents observed a white Sports Utility Vehicle (SUV) depart the driveway of the SUBJECT PREMISES. DMV records indicate SCOTT E. AIKENS is the registered owner of a white Mazda CX-5 SUV consistent with the SUV observed departing the SUBJECT PREMISES.

SEARCH WARRANT

13. On September 6, 2018, HSI applied for and received a search warrant authorizing the search of the SUBJECT PREMISES.

14. On September 14, 2018, HSI agents executed the search warrant at the SUBJECT PREMISES. During the search warrant, multiple electronic devices were obtained, including a laptop and two desktop computers.

15. At the time that the search warrant was executed, HSI agents observed SCOTT AIKENS (Hereinafter: "AIKENS") sitting in front of his computer. On the computer which Aikens was viewing, there were multiple images of young prepubescent males with their genitals exposed, some of which involved young prepubescent males who appeared to have erect penises, sitting in what appears to be a sauna. AIKENS admitted that he was viewing child pornography on his laptop at the time that HSI agents made entry. Additionally, upon

entry, AIKENS asked HSI agents, "Is this about the internet?"

16. AIKENS admitted to HSI agents that he had been viewing child pornography over the last several years, that he viewed child pornography on the Boyxzeed2.net website, that his username was EJD, and that he used the e-mail address *ejdz@aol.com* for child pornography viewing. AIKENS admitted to agents that they will probably find a couple hundred videos of child pornography on the aforementioned laptop that was seized. AIKENS admitted that he has a preference for viewing twelve to fourteen year old boys engaging in sexual acts with other underage boys. AIKENS is a school teacher with the Clymer Central School District, teaching seventh through twelfth grade agriculture. Prior to that, Aikens taught elementary and special education.

CONCLUSION

17. Based upon the foregoing, I respectfully submit that I have probable cause to believe that SCOTT AIKENS, has violated Title 18, United States Code, Section 2252A(a)(5)(B) (Possession of Child Pornography).


BRYAN JACOBSON
Special Agent
Homeland Security Investigations

Sworn to before me this 14th
day of September, 2018


MICHAEL J. ROEMER
United States Magistrate Judge